

HOUSE BILL REPORT

E2SSB 5724

*As Passed House - Amended
March 5, 1992*

Title: An act relating to water pollution control of chlorinated organic compound emissions.

Brief Description: Requiring the department of ecology to study impacts of regulating paper mill waste.

Sponsor(s): By Senate Committee on Ways & Means (originally sponsored by Senators Sutherland, Hayner and Owen).

Brief History:

Reported by House Committee on:

Environmental Affairs, February 28, 1992, DPA;
Passed House, March 5, 1992, 96-1.

**HOUSE COMMITTEE ON
ENVIRONMENTAL AFFAIRS**

Majority Report: *Do pass as amended.* Signed by 11 members: Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; G. Fisher; J. Kohl; Neher; D. Sommers; Sprenkle; and Van Luven.

Minority Report: *Do not pass.* Signed by 1 member: Representative Brekke.

Staff: Rick Anderson (786-7114).

Background: "Dioxin" is a term used to refer to a family of 210 chlorinated organic compounds that vary in their degree of toxicity. 2,3,7,8 "TCDD" is considered to be the most toxic member of the dioxin family, and has been linked to malignancies, birth defects, and physical deterioration in laboratory animals. 2,3,7,8 TCDD is subject to a water quality standard of 0.014 parts per quadrillion.

"Chlorinated organics" are a family of chemical compounds that consist of organic compounds and chlorine. Dioxins constitute an extremely small percentage of all chlorinated organics in pulp and paper mill effluent. Less than 10 percent of chlorinated organics have been individually identified or tested for toxicity.

"AOX" refers to a type of test that measures the amount of chlorinated organics in wastewater effluent. Wastewater from pulp and paper mills typically contains 10 to 20 pounds of chlorinated organics per metric ton of pulp. This amount is reduced to approximately six to 14 pounds per ton by the secondary treatment system.

Technology currently exists to reduce chlorinated organics to a range of 2.0 to 5.5 pounds per ton. This reduction is accomplished by reducing the amount of chlorine or carbon in certain stages of the pulping process. Two pulp and paper mills in the state currently employ such technology.

In July 1992, the Department of Ecology issued wastewater discharge permits that limited pulp and paper mills to a limit of 3.3 pounds per ton of chlorinated organics as measured by the AOX test. The 3.3 pound per ton limit has been appealed to the Pollution Control Hearings Board (PCHB) by the industry. The PCHB has ruled that the 3.3 pounds per ton limit is not valid because the department failed to follow appropriate procedures in establishing that limit.

Summary of Bill: The Department of Ecology is directed to require each pulp and paper mill to conduct an engineering study, within 24 months of the effective date of the act, to evaluate the cost of installing the technology necessary to reduce the amount of chlorinated organics. The department is prohibited from issuing water quality discharge permits until at least three months after receiving the engineering report.

The prohibition against issuing permits limiting chlorinated organics does not pertain to dioxin compounds.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Pulp and paper mills have not been given enough time to complete their engineering studies. Washington pulp and paper mills would suffer an economic disadvantage if they were required to install technology before mills in other states.

Testimony Against: The bill micro manages Department of Ecology permit decisions and is not consistent with the state Clean Water Act. The bill would not put Washington mills at an unfair economic advantage.

Witnesses: Llewellyn Matthews, Northwest Pulp & Paper Association (pro); Brent Knott, American West Pulp & Paper

Workers (pro); Dick Abrahms, Scott Paper (pro); Mike Llewelyn, Department of Ecology (con); Representative Basich (pro); Bruce Wishart, Sierra Club (con); and Naki Stevens, People for Puget Sound (con).